

BOISE, MONDAY, JUNE 12, 2023, AT 8:50 A.M.

IN THE SUPREME COURT OF THE STATE OF IDAHO

In the Interest of: John Doe (2022-15),)
Juvenile Under Eighteen (18) Years of Age.)
-----)
STATE OF IDAHO,)
)
Petitioner-Respondent,)
)
v.)
)
JOHN DOE (2022-15),)
)
Juvenile-Appellant.)

Docket No. 49619

Appeal from the District Court of the Fourth Judicial District of the State of Idaho, Ada County. Gerald F. Schroeder, Senior District Judge. Cathleen Irby MacGregor, Magistrate Judge.

Eric Don Fredericksen, State Appellate Public Defender, Boise, for Appellant.

Raúl R. Labrador, Idaho Attorney General, Boise, for Respondent.

John Doe, a juvenile defendant, challenges the dismissal of his intermediate appeal to the district court. Doe was arrested after police discovered drugs and drug paraphernalia in his wallet during a pat-down search. He filed a motion with the magistrate court to suppress the evidence, arguing that the search was unconstitutional under both the U.S. and Idaho Constitutions. While the magistrate court agreed that the search was illegal, it denied Doe's motion to suppress on determining that the evidence was not subject to exclusion under the attenuation doctrine.

Doe appealed to the district court to challenge his denied suppression motion. The State then filed a motion to dismiss the appeal, arguing that the order denying Doe's motion to suppress was not appealable as a matter of right. The district court granted the State's motion on concluding that Doe was not yet "within the purview of the juvenile corrections act" because there had been no "finding of a violation," as required by Idaho Code section 20-528. Doe appealed to the Idaho Supreme Court. He argues that the district court erred in its statutory interpretation of Idaho Code section 20-528 and that the provision permits him to appeal the magistrate court's denial of his motion to suppress.